

HOUSE BILL 3838

By Turner M

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 11, Part 16, relative to certificates of need
for nursing home beds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-1627, is amended by deleting subsection (d) in its entirety.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 11, Part 16, is amended by adding the following new section:

Section 68-11-1628.

(a) Any existing licensed and operating nursing home may relocate less than all of its licensed beds to a new location or site if the following conditions are satisfied:

(1) The original facility has maintained an average annual occupancy rate for all licensed beds of at least eighty-five percent (85%) as reported on the joint annual report for the previous two (2) years;

(2) The proposed location for relocation of beds is within the original facility's service area;

(3) The original facility is part of a continuing care retirement community that offers long term care including services that included skilled nursing facility services, assisted living, and independent living;

(4) The original facility is not currently certified to provide Medicaid services when the application for the movement of the beds to a new location is filed with the health services development agency; and

(5) An application for the relocation of the beds is filed with and approved by the health services development agency pursuant to this part.

(b) Nothing in this section shall affect a certificate of need project filed before the effective date of this act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.